

## **REMARKS**

### **Amendments to the Claims**

The preceding amendments to the claims reproduce the claims in the form identified as allowable by the Examiner in compliance with the Examiner's request in the Office Action dated October 18, 2004 to provide all of the newly allowed claims in completely underlined form as identified as "(New)".

### **Amendments to the Detailed Description**

A Proposed Amendment to the Detailed Description, not previously submitted to the Examiner for consideration, is also included above. The Proposed Amendment provides support for reference numeral 200 of Figure 7. Reference numeral 200 was previously not used in the Detailed Description, even though it appeared in Figure 7 in the granted patent. The Proposed Amendment makes the numbering in the Detailed Description consistent with the reference numerals appearing in the Figures. Support for this Proposed Amendment is found in Figure 7 of the granted patent, and in the reference to a heater control in column 9, line 59 of the patent as granted.

### **Support for the Amendments**

#### **Claim 8**

Support for claim 8 is principally in claim 5 of the granted patent, but for several differences addressed below.

Support for lines 9-12 of claim 8 reading "a first operator selector movable to a first position for selection of a first mode of operation of an accessory otherwise unconnected with the transmission and said first operator selector movable to a second position for selection of a second mode of operation of said accessory" is found in column 9, lines 54-64 and in Figure 7 of the granted patent. The "accessory" of the claim corresponds to the heater of the cited portion of the Detailed Description.

Support for the limitations found in the last clause of claim 8 relating to the selection of the first and second mode of operation of the accessory and determination of the driver

intent to shift, are supported by the original Detailed Description, column 9, lines 54-64, Figure 7 and, column 8, lines 47-57 of the Detailed Description.

#### **Claim 10**

Support for claim 10 is principally found in claim 1 of the granted patent. Support for variations of claim 1 is found as indicated below. The language "for a motor vehicle, the transmission being a compound mechanical transmission with a main transmission section shifted by a shift member in combination with an auxiliary section, as recited in claim 10, lines 2-4, is found in column 3, lines 26-35 of the published granted patent.

Support for the clause reading "means for sensing a requirement to maintain said selected positive clutch member in said disengaged position and for providing an intent-to-maintain signal thereof, said intent-to-maintain signal being dependent on the operation of an accessory otherwise unconnected with the transmission," lines 9-12 of claim 10, is found in column 9, lines 54-64 of the published granted patent.

Support for lines 20-22 of claim 10 reading "a second operator selector movable to a first position for selection of upshifts to a target ratio and movable to a second position for selection of downshifts to a target ratio" is found in column 6, lines 13-33 of the granted patent.

Support for lines 24 and 25 of claim 10 "wherein said intent-to-maintain signal is provided only if there is no such requirement to move sensed" is found in column 9, lines 54-64 of the published granted patent.

#### **Claim 12**

Support for claim 12 is primarily found in claim 1 of the granted patent. Support for additional limitations to claim 1 found in claim 12 is established as follows.

Support for lines 11-14 of claim 12 is found in column 9, lines 54-64. Support for lines 22-28 of claim 12 is found in column 9, lines 54-64, Figure 7 and column 9, lines 25-32.

### **Claim 13**

Support for claim 13, lines 1-5 is found in column 5, lines 29-45. Support for claim 13, lines 6-7 is found in column 8, lines 64-67 and column 9, lines 1-7.

### **Detailed Description**

Support for the proposed amendment to the Detailed Description is found in Figure 7, and in the reference to a heater control in column 9, line 59, of the patent as granted.

### **Oaths**

Accompanying are new Oaths which specially recite the error was not claiming the specific structure, and that the structure is a first operator movable to a first position for selection of an accessory otherwise unconnected to the transmission, or, in the alternative, means for sensing a requirement to maintain said selected positive clutch member in said disengaged position and for providing an intent-to-maintain signal thereof, said intent-to-maintain signal being dependent on the operation of an accessory otherwise unconnected with the transmission.


Applicants respectfully request allowance of the application and notification of the same.

The Commissioner is hereby authorized to charge any fees which may be required or credit any overpayment to Deposit Account No. 05-0275.

Respectfully submitted,

Dated: 12/09/04

KMH:tab

  
Kevin M. Hinman  
Registration No. 35,193  
Eaton Corporation  
26201 Northwestern Hwy.  
P. O. Box 766  
Southfield, MI 48037  
(248) 226-6822